In the Claims:

Please delete claims 24-37 and 46-50 without prejudice.

Response

Claims 1-50 are pending in the application. By the aforementioned Office Action, the Patent Office has required restriction pursuant to 35 USC 121 as between four alleged distinct inventions as follows:

I. Claims 1-23 and 38-45 drawn to microcapsules containing an antimicrobial product and to polymer compositions containing said microcapsules,

II. Claims 24- 37 drawn to methods of making said microcapsules,

III. Claims 46-48 drawn to methods of making antimicrobial resin compositions, and

IV. Claims 49-50 drawn to a method of controlling the rate of release of an antimnicrobial agent from a polymer matrix and the method of improving the antimicrobial properties of a non-hydrophilic polymer.

Specifically, it is alleged that the inventions of Groups I, II and III are related as process of making and product made and Groups I and IV are related as product and process of use. Groups II and III are deemed related as combination and subcombination.

In response to the restriction requirement, Applicants elect Group I, claims 1-23 and 38-45 for examination, without traverse. In following, Applicants hereby cancel claims 24-37 and 46-50 without prejudice. Applicants reserve their right to file divisional applications for the unelected inventions. The foregoing cancellation of claims does not alter inventorship in this application.

The Patent Office has also requested election of species under 35 USC 121. Specifically, the Patent Office has requested that Applicants choose an antimicrobial agent, the encapsulation hydrophilic polymer, an inorganic discoloration inhibiting agent, a dopant agent and the polymer which makes up the polymer matrix, for examination on the merits. By this response, Applicants select the following:

Antimicrobial agent – silver zeolite

Encapsulating hydrophilic polymer – acrylic resin, especially poly(hydroxyethyl-methacrylate)

Inorganic discoloration inhibiting agent – ammonium salt

Dopant agent – sodium nitrate

Polymer matrix – addition polymers, especially ABS.

Claims readable on the foregoing election are as follows: 1-11, 13-23, 38-40, 42 and 44. It is understood that claims not readable on the elected species will be considered upon allowance of a generic claim embracing the same.

Applicants believe all matters raised in the Office Action have been fully addressed. Should there be any questions, please contact the undersigned, Applicant's attorney.

Respectfully submitted,

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